GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Revision petition - Sri D.Sudarshanam, formerly Special Officer, ULC, Vijayawada (now retired) - Disciplinary proceedings initiated - Imposed a penalty of "withholding of ten percent of monthly pension permanently" - Review petition filed against the punishment orders - Admitted - Penalty set aside and exonerated from the charges - Orders - Issued.

****

REVENUE (VIGILANCE.I) DEPARTMENT

G.O.Rt.No.214 Dated:22.02.2024

Read the following:

1. G.O.Rt.NO.980, Revenue (Vig.I) Dept., dt: 25.10.2023
2. Review petition dt: 30.11.2023 filed by Sri D.Sudarshanam, formerly Special Officer, ULC, Vijayawada (now retired)

***

ORDER:

Whereas, in the G.O.1st read above, orders have been issued imposing a punishment of "withholding of ten percent of monthly pension permanently" against Sri D.Sudarshanam, formerly Special Officer, ULC, Vijayawada (now retired) as the articles of charge framed against him for the alleged irregularities committed in issuance of certain irregular orders under section 8(4) of ULC, Act, 1976, were held proved by the Inquiry Authority cum Joint Collector, Krishna.

2. Aggrieved by the above orders, Sri D.Sudarshanam, formerly Special Officer, ULC, Vijayawada (now retired) has fled a review petition before the Government denying the allegations and asserting that the orders under ULC, Act in CC No. 1807/76, 2304/76, 2263/76 dated 08.12.2000 were not issued by him but by his predecessor. He assumed the post of SO & CA, ULC, Vijayawada on 08.12.2003, i.e., 3 years later. Article of Charge I i.e., giving permission to sell the open space under section 26(1), attributing actions of others to him, is unjust; that the Inquiring and disciplinary Authorities failed to identify the responsible officer or his violations under ULC, Act. The land in R.S. No. 69/3 of Gunadala village is agricultural land and is confirmed by Joint Collector Krishna in his preliminary report on 22.9.2009. Despite being within urban agglomeration, agricultural lands are exempted from ULC, Act's definition of vacant land and hence requested to set aside the punishment and to do justice to him as he has been suffering a lot from the date of retirement.

3. And whereas, the review petition of Sri D.Sudarshanam, formerly Special Officer, ULC, Vijayawada (now retired) has been admitted and a personal hearing has been conducted by the competent authority on 05.02.2024.

4. After careful examination of the grounds put forth in the review petition and also after hearing to pleadings of the petitioner during the personal hearing, Government have observed that the regular inquiry authority cum Joint Collector Krishna has submitted his report on 01.10.2011, confirming the charges against charged officer; that the District Collector, Krishna, in his letter dated 21.10.2016 has stated that no irregularities occurred regarding the land in Mogalrajapuram, as it was declared as non-surplus and another land in Gunadala village das designated as agricultural land and hence , exempted from ULC, Act and concluded that there was no revenue loss from clearance certificates issued by Sri D. Sudarsanam.

5. It was further observed that as the inquiry report of the then Joint Collector & Enquiry Officer dt.01.10.2011 and the report of the former JC, & CA, ULC, Vijayawada dt. 15.07.2016 are contradicting with each other , the Collector Krishna, who has been requested for specific remarks, have explained that initially, Dhulipala Rama Chandra Koteswararao and others were declared surplus land holders in 1980, but were later declared nonsurplus by SO & CA, ULC, Vijayawada on 08.12.2000; that despite the land earmarked for open space, NOC, s were issued for gifting, deemed not irregular and additionally, the land in Gunadala Village is agricultural, and hence exempted from ULC, Act. Thus, the inquiry officers provided conflicting reports in the same case, leading the District Collector, Krishna to conclude in his final report that no violations occurred and no financial or Land loss occurred to the Govt. Hence, basing on the

(Contd..2)

report of the District Collector, Krishna, Govt., have decided that the punishment of withholding of ten percent of monthly pension permanently imposed on Sri D.Sudarshanam, formerly Special Officer, ULC, Vijayawada (now retired) is set aside duly exonerating him from the charges framed against him in the matter.

6. Government, in exercise of the powers conferred under rule- 38(a) of Andhra Pradesh Civil Services (Classification Control & Appeal) Rules, 1991, here by review the punishment of withholding of ten percent of monthly pension permanently imposed against Sri D.Sudarshanam, formerly Special Officer, ULC, Vijayawada (now retired) set aside the same and exonerating him from the charges framed against him in the matter.

7. The Chief Commissioner of Land Administration, A.P., Mangalagiri/ District Collector, Krishna, shall take necessary further action accordingly.

AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS)(FAC)

To:
Sri D.Sudarshanam, formerly Special Officer, ULC, Vijayawada (now retired) through the Chief Commissioner of Land Administration, A.P., Mangalagiri.
The Chief Commissioner of Land Administration, A.P., Mangalagiri.
Copy to:
The OSD to the Hon'ble Minster (Rev, Stamps & Regn).
The Collector & District Magistrate, Krishna District.
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER